



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

ERIK REDEEMER,
Plaintiff,

vs.

M. L. RIVERA and TIMOTHY A. GEIER,
Defendants.

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CIVIL ACTION NO. 9:10-01481-HFF-BM

ORDER

This case was filed as a civil rights action by a federal prisoner. Pending before the Court is Plaintiff's motion to reinstate his civil action. Having carefully considered the motion, the record, and the applicable law, it is the judgment of this Court that the motion will be denied.

On July 23, 2010, the Court dismissed Plaintiff's action without prejudice because of his failure to comply with the Magistrate Judge's Proper Form Order of June 15, 2010. On February 22, 2011, the Clerk of Court entered Plaintiff's motion to reinstate his case. In his motion, Plaintiff states that he has exhausted his administrative remedies. The Court's Order of July 23, 2010, however, specified that the dismissal was based on Plaintiff's failure to bring this case into "proper form." In other words, the dismissal was not the result of Plaintiff's failure to exhaust administrative remedies.

Accordingly, Plaintiff's motion to reinstate case is **DENIED**. The Clerk of Court is directed to send to Plaintiff civil rights forms for use by federal prisoners.

IT IS SO ORDERED.

Signed this 21st day of July, 2011, in Spartanburg, South Carolina.

s/ Henry F. Floyd
HENRY F. FLOYD
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within 60 days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.